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<b>Response to Missing Requirements Under 35 USC § 371</b>	Attorney Docket No.: DAIRY88.005APC First Named Inventor: Craig Bell Int'l Application No.: PCT/NZ2003/000189 US Application No.: 10/525,835 Entered National Phase: February 25, 2005 Title: PRE-MIX FORMULATIONS COMPRISING INGREDIENTS FOR DAIRY PRODUCTS
	Direct all correspondence to Customer No.: 20995

Date: September 9, 2005  
Page 1 of 2

**Mail Stop PCT**  
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 Alexandria, VA 22313-1450

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on

September 9, 2005

(Date)



Andrew N. Merickel, Reg. No.53,317

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated August 17, 2005.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 2 pages.
- (X) Return prepaid postcard.

**FILING FEES NOT YET PAID:**

FEE CALCULATION				
FEE TYPE		LARGE FEE	CALCULATION	TOTAL
Late Oath/Decl.	37 CFR § 1.492(h)	1617 (\$130)		\$130
Excess Claims	- =	1615 (\$50)	x 50 =	\$0
Excess Ind. Claims	- =	1614 (\$200)	x 200 =	\$0
Multiple Claim	37 CFR § 1.492(f)	1616 (\$360)		\$0
1 Month Extension	37 CFR § 1.17(a)(1)	1251 (\$120)		\$0
2 Month Extension	37 CFR § 1.17(a)(2)	1252 (\$450)		\$0
3 Month Extension	37 CFR § 1.17(a)(3)	1253 (\$1,020)		\$0
4 Month Extension	37 CFR § 1.17(a)(4)	1254 (\$1,590)		\$0
			<b>SUB TOTAL</b>	\$0
The present application qualifies for Small Entity status under 37 CFR § 1.27. Fee reduced by 1/2.				(\$0)
Late English Trans	37 CFR § 1.492(i)	1618 (\$130)		\$0
			<b>TOTAL FEE DUE</b>	<b>\$130</b>

- (X) A check in the amount of **\$130** is enclosed to cover the above fees.

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**Response to Missing  
Requirements Under  
35 USC § 371**

Attorney Docket No.: DAIRY88.005APC  
First Named Inventor: Craig Bell  
Int'l Application No.: PCT/NZ2003/000189  
US Application No.: 10/525,835  
Entered National Phase: February 25, 2005  
Title: PRE-MIX FORMULATIONS COMPRISING  
INGREDIENTS FOR DAIRY PRODUCTS

**Direct all correspondence to Customer No.: 20995**

Date: September 8, 2005

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The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.



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Attorney of Record  
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090805

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/525,835	Craig Bell	DAIRY88.005APC

INTERNATIONAL APPLICATION NO.
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PCT/NZ03/00189

I.A. FILING DATE	PRIORITY DATE
08/26/2003	08/26/2002

20995

KNOBBE MARTENS OLSON & BEAR LLP  
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 FOURTEENTH FLOOR  
 IRVINE, CA 92614

CONFIRMATION NO. 9612  
 371 FORMALITIES LETTER  
 \*OC000000016795455\*  
 \*OC000000016795455\*

Date Mailed: 08/17/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/25/2005
- Copy of the International Search Report filed on 02/25/2005
- Copy of IPE Report filed on 02/25/2005
- Copy of Annexes to the IPE filed on 02/25/2005
- Preliminary Amendments filed on 02/25/2005
- U.S. Basic National Fees filed on 02/25/2005
- Priority Documents filed on 02/25/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/525,835	PCT/NZ03/00189	DAIRY88.005APC

FORM PCT/DO/EO/905 (371 Formalities Notice)